

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF TEXAS

Raymond White, *et al.*,

Plaintiffs,

*versus*Maria Chun, *et al.*,

Defendants.

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Miscellaneous Action H-09-0065

Opinion on Dismissal

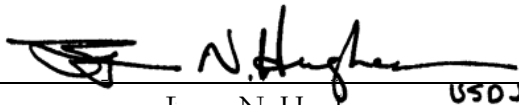
Raymond White and Shirley White filed an employment discrimination action against Maria Chun and Tom Chun without paying the customary costs. Because their complaint does not describe a legally recognizable claim, they must pay the fees. They may not file another suit here without paying the costs.

The complaint is unintelligible. Despite writing their complaint on an employment discrimination form, it describes no employment between the Chuns and the Whites or anyone else, and it does not specify a single instance of discrimination or adverse employment action. The Whites list the Chuns' address as "high star." Their description of the alleged discrimination reads "kill for liberty, human rights, amendment right, constitute rights, congress rights." This gibberish does not include discrimination on the basis of race, religion, or national original.

The Whites complain that the Chuns and their children "bought us at 1992 and start discrimination with the family start public assassination killing me for immigration." The statute of limitations for the civil remedy in human trafficking is 10 years. 18 U.S.C. § 1595(c) (2006). The Whites have not exhausted administrative remedies for employment discrimination. 42 U.S.C. § 2000e-5 (2006). For a discrimination claim under 42 U.S.C. § 1981, the limitations period is derived from state law. *Delaware State College v. Ricks*, 449 U.S. 250, 255 (1980). In Texas, it is two years. TEX. LAB. CODE § 21.256 (2007). The activities that the Whites claimed had happened in 1992 – involuntary servitude or employment discrimination – are time-barred.

The defects in this five-page complaint cannot be cured by amendment, so this case will be dismissed because it does not describe a legally recognizable claim.

Signed on February 26, 2009, at Houston, Texas.



Lynn N. Hughes
United States District Judge

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